

## IN THE UNITED STATES PARENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Group Art Unit: To Be Assigned

SMITH et al.

Examiner: To Be Assigned

Appln. No.: 09/773,599

Filed: February 2, 2001

FOR: DIAGNOSTIC METHOD

Date: June 14, 2001

## INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents and Trademarks Washington, D.C. 20231

Sir:

Attached is a Form PTO-1449 listing the enclosed documents.

The present Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits, and therefore no certification under 37 CFR §1.97(e) or fee is under 37 CFR §1.17(p) is required.

Should a first Action on the merits have been issued on the same day as or before this IDS is filed, please accept this IDS under Rule 97(c) and charge the requisite fee to our Deposit Account under Order No. 009901/0276655 and proceed to consider this IDS.

This Information Disclosure Statement is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to fully comply.

5 90 # Cof 12 28.01 Consideration of the foregoing and enclosures plus the return of a copy of the herewith filed Form PTO-1449 with the Examiner's initials in the left column per MPEP 609 along with an early action on the merits of this application are earnestly solicited.

Respectfully Submitted,

PILLSBURY WINTHROP LLP

By:

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